



**MINUTES OF THE REGULAR MEETING OF THE  
RIDGECREST CITY COUNCIL AND  
RIDGECREST REDEVELOPMENT AGENCY**

**City Council Chambers  
100 West California Avenue  
Ridgecrest, California 93555**

**July 7, 2004  
6:00 p.m.**

Tape Recorded  
Tape 04-15

This meeting was tape recorded and will be on file in the Office of the City Clerk for a certain period of time from date of approval by City Council/Redevelopment Agency. Meetings are recorded solely for the purpose of preparation of minutes.

**CALL TO ORDER – 6:03 p.m.**

**ROLL CALL**

**PRESENT:** Mayor Ronald Carter, Mayor Pro Tem Marshall Holloway, Vice Mayor Richard Martin, Council Members Steven Morgan and Daniel Clark

**STAFF** Harvey Rose, City Manager; Rita Gable, Chief Deputy City Clerk; Jim Winegardner, Finance Director; Jim Ponek, Parks and Recreation Director; James McRea, Community Development Director; Michael Avery, Chief of Police; Joe Pollock, Assistant Public Works Director; and other personnel

**CLOSED SESSION – 6:04 p.m.**

GC54956.8 Real Property Negotiations – APN 067-050-13, 636 W. Ridgecrest Boulevard, APN 067-050-02, 700 W. Ridgecrest Boulevard – Negotiator Harvey M. Rose

**REGULAR SESSION – 6:40 p.m.**

**PLEDGE OF ALLEGIANCE** led by Council Member Holloway

**INVOCATION** by – silent moment

**CITY ATTORNEY REPORT OUT OF CLOSED SESSION**

Council was updated on the real property negotiations and gave direction to staff.

## **MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**July 7, 2004**

**Page 2**

### **APPROVAL OF AGENDA**

City Manager Rose stated two items arose subsequent to posting of the agenda – Proclamation in Observance of Space Week and presentation to Council from residents of the neighborhoods around E. Ridgecrest Boulevard and Sunland Street. Moved by Council Member Morgan, seconded by Council Member Martin to APPROVE THE AGENDA WITH THE TWO ADDED ITEMS. No public comment. Motion carried with a voice vote of 5 ayes.

### **PROCLAMATIONS AND PRESENTATIONS**

#### **Added Items**

#### **Proclamation – United States Space Observance July 18-26, 2004**

Mayor Carter presented the proclamation to Dave Matthews, a member of hiDEA.

#### **Presentation To Council**

Several young women who live near the intersection of E. Ridgecrest Boulevard and Sunland Street presented letters of thanks and a collage of photos to the Council Members for the recent installation of four-way stop signs at the intersection.

#### **1. Presentation – Institute On The Constitution**

Al Huey, Ridgecrest Citizens for Constitutional Government, presented graduation certificates of the Institute on the Constitution to Council Member Holloway, Finance Director Jim Winegardner, and Bud Klamt, Mediacom volunteer/KLOA employee.

#### **2. Presentation – Words of Wisdom**

Todd Farr, Principal, Monroe Middle School, presented Certificates of Participation in the school's Words of Wisdom Program to Mayor Ron Carter and City Manager Harvey Rose.

#### **3. Presentation – Teen Court Activities**

Sherry Gibson, East Kern Youth Project, gave a presentation of the Teen Court activities and accomplishments for the past year.

Lois Beres, 627 N. Sunland Street - questioned the statistics given in the report.

- The statistics were based only on the cases handled by the Teen Court

## **MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**July 7, 2004**

**Page 3**

Dave Matthews, 717 Kevin Court, was appalled that the report included second graders – they are only 7-8 years old

### **PUBLIC COMMENT**

Mary Ash, 624 S. Gold Canyon Drive

- A party in support of President Bush will be held at the Knights of Columbus Hall on July 15 beginning at 6 p.m.

Chester Cornelius, 305 Dawn Court

- Is concerned that Council may be unfamiliar with the processing of new housing developments permits and paperwork
- Planning Commission reviews all papers and if there are problems or roadblocks it then goes to the Council for review and determinations
- Meanwhile developer keeps on with his project
- Tract maps have been revised and resubmitted with same number but show no revisions to the paperwork (e.g. TM 1000 rev 1, 2, 3, etc)
- He is all for development but at what price of current residents in the development area
- And the question of Warner Street still is still unsettled

Lois Beres, 627 N Sunland Street

- Congratulations to the Knights of Columbus, the Lions Club and Steve Morgan, Chairman, for the wonderful community fireworks display and the 4th of July program at the Fairgrounds

Dorothy Brown, 221 N Gold Canyon Drive

- We just celebrated 228 years of American Independence but are forfeiting our control over ourselves
- National Park Service is now under auspices of the United Nations
- Conservationists are buying up land to make them into wetlands, parks etc. with the help of the Federal Government
- They are promoting no private ownership of land
- Where will we grow our foods when all the vacant lands are gone
- Are farmers the next endangered species
- Government employees cut fences to let cattle run onto federal lands and then prosecute and fine the ranchers
- Federal Government approves and gives funds to conservational groups
- Before you cast your votes on November 2, 2004 investigate the backgrounds of the candidates, check into their past voting habits, their performance in office, and what they are now advocating
- Become informed before voting

## **MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**July 7, 2004**

**Page 4**

Dave Matthews, 717 Kevin Court

- Also addressed land use issues – on July 21 the Forest Service District in Bishop will be starting road designation process
- Today the LA Times, and also in the Daily Independent, had a story about Mayor Hahn calling for a development ban in scenic Owens Valley
- Wants to preserve 500 square miles as a conservation district to keep the area from development
- Read about how Washington state supervisors are not allowing landowners to build on 1/3 of their properties – but they have apparently backed off of this

Al Huey, 1128 Windy Lynn

- All our legislators seem to be going astray of what our country's founders intended
- During the Institute on the Constitution we learned what the founders intended when framing the Constitution
- The reference they used the most was the Bible
- This country was not founded by religionist but by Christians
- Urged local ministers, who have apparently been boycotting delivering invocations at Council meetings, to reconsider and to come down and pray for our City and citizens

### **CONSENT CALENDAR**

4. **Resolution No. 04-34, A Resolution Of The Ridgecrest City Council Authorizing Application For And Acceptance of The 20004/05 Program Year Local Law Enforcement Block Grant** Avery

Item 5 removed for discussion

5. **Resolution 04- , A Resolution of the Ridgecrest City Council Approving Continuing Appropriations And Year End Transfers** Winegardner
6. **Resolution 04-35, A Resolution of the Ridgecrest City Council Authorizing A Progress Payment (Payment No. 3) To Asphalt Construction Company in The Amount Of \$86,798.43 For Work Completed To Date On Allen Street From Upjohn Avenue To Bowman Road** Pollock
7. **Minutes Of The Regular City Council/Redevelopment Agency Meeting Of June 16, 2004** Gable
8. **Council Expenditure Approval List (DWR) Dated June 11, 2004 In The Amount Of \$313,686.66** Winegardner
9. **Council Expenditure Approval List (DWR) Dated June 25, 2004 In The Amount Of \$171,219.71** Winegardner

**MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**July 7, 2004**

**Page 5**

**Item 10 removed for discussion**

- 10. Agency Expenditure Approval List (DWR) Dated June 25, 2004 In The Amount Of \$1,007,743.61 Winegardner**

Council Member Morgan requested removal of item 5

Mayor Carter and John Cianin requested removal of item 10 – questioned total

Moved by Council Member Holloway, seconded by Council Member Clark TO APPROVE THE CONSENT CALENDAR WITH ITEMS 5 AND 10 REMOVED. No public comment. Motion carried with a voice vote of 5 ayes.

**Item 10**

- 10. Agency Expenditure Approval List (DWR) Dated June 25, 2004 In The Amount Of \$1,007,743.61**

Finance Director Winegardner stated that the total reflected the Redevelopment Agency debt service payment, jail, and some miscellaneous other payment. Explained that the Cedric Knight payment was erroneously posted to both the City and Redevelopment DWR's and will be corrected.

**Item 5**

- 5. Resolution 04-36, A Resolution of the Ridgecrest City Council Approving Continuing Appropriations And Year End Transfers Winegardner**

Council Member Morgan read the staff report that explained why it was necessary to approve continuing appropriations and year end transfers. (copy in Clerk's agenda packet)

Moved by Council Member Morgan, seconded by Council Member Clark TO APPROVE ITEMS 5 AND 10. No public comment. Motion carried with a voice vote of 5 ayes.

**DISCUSSION ITEMS**

- 11. Discussion Of Local Option Sales Tax Proposal Rose**

Mr. Rose stated that this item will be on future agendas until the General Municipal Election on November 2, 2004 giving the public an opportunity to continue making comments on the proposed Local Option Sales Tax Proposal.

## MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

July 7, 2004

Page 6

Mr. Rose noted we are moving closer to placing the item on the November 2 ballot and mentioned the concurrent resolution, the ordinance, and the resolution to place the measure on the ballot. All are included on this agenda.

Dave Matthews

- Asked if discussions would be in open and public meeting
  - Would normally be done at a regular Council meeting

Dorothy Brown

- Questioned how we could keep legislators in Sacramento from staying out of our pocketbooks
- This won't keep them from taking this tax money too
- Asked what happened to the petition we all signed for ballot initiative to keep local funds local
  - Current laws on local options sales tax doesn't allow state to take these funds
  - Petition has enough signatures to place on the ballot
  - Governor was willing to support a constitutional amendment
  - Council Member Martin explained where things stand
  - The League of California Cities measure is one of 14 propositions on the ballot
  - Need to get the word out to support what the voters want and not party lines
  - Governor needs our support

Council Member Clark asked what the portion was we received of the current sales tax

Mr. Winegardner explained

- Now receive 1% approx 2.5M
- SB 956 the transaction use tax is local option sales tax and requires a 2/3 vote of Council to place on ballot
- It would be levied on all sales other than capital purchases (i.e. vehicles, RVs, etc.) by persons living outside the City limits
- Each 1/4 percent of new tax would average 800K per year over twenty years

Al Huey

- Did not understand the 1/4 percent at 800K (2.4M)
  - It is approximately 800K per year for each 1/4 percent for 20 years
- Does not approve of the tax
- Does not approve of the resolution – it could go away as a general fund measure
- Legislature cannot take funds from a special tax

## MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR

July 7, 2004

Page 7

- Mr. Rose said that is not true - it has happened many times - Gray Davis proved it by taking Redevelopment funds – state took Bradley-Burns tax
- Asked why did we go to general tax rather than special
  - Council Member Morgan said it was determined from public comment at the various forums that people wanted general tax

Council Member Holloway asked when did it change from specific to general tax – must have been when he missed the last meeting

Council Member Morgan asked that some wording be changed in paragraph 3 – Council Member Holloway asked that wording be changed in 3rd or 4th

Council concurred with the new wording - staff will make changes

Dorothy Brown

- Has campaigned for designated tax – feels more citizens would vote for a specific project rather than a general

Council Member Clark stated the persons he talked with were concerned with having a sunset clause added to have it end at a specified point in time.

Al Huey

- Still wants the sunset clause – 15-20 years
- How can we be sure what other Councils will do with these funds as the years go on
- Feels we should make it a specified tax

Moved by Council Member Morgan, seconded by Council Member Clark TO ADOPT, AS AMENDED, RESOLUTION NO. 04-37, A RESOLUTION OF THE RIDGECREST CITY COUNCIL DECLARING THE RIGHTS OF RIDGECREST CITIZENS TO HAVE QUALITY MUNICIPAL SERVICES AND INFRASTRUCTURE, AND EXPRESSING THE CITY COUNCIL'S INTENTION TO PROVIDE FOR THE NEEDS, DESIRES, AND DEMANDS OF THE COMMUNITY. Public comment heard. Motion carried with a voice vote of 5 ayes.

Mayor Carter recessed the meeting at 8:33 p.m. to reconvene at 8:45 p.m.

## ORDINANCES AND RESOLUTIONS

12. Ordinance No. 04-05, An Ordinance Of The Ridgecrest City Council Adding Sections 3-3.201 Through 3-3.214 To The Ridgecrest Municipal Code To Provide For An Additional Three-Quarter Of One Percent Sales Tax To Fund

**General Purposes And To Be Administered By The State Board Of Equalization** **Winegardner**

This ordinance establishes a local option sales tax increase of an additional three quarters of one percent that will be used for general City purposes including infrastructure, public safety, recreation, and other purposes.

The ordinance was approved on first reading, by title only, at the June 16, 2004 City Council meeting. It is brought back on this agenda for second reading, by title only, and adoption.

Moved by Council Member Morgan seconded by Council Member Martin TO WAIVE READING IN FULL AND TO ADOPT, BY TITLE ONLY AN ORDINANCE OF THE RIDGECREST CITY COUNCIL ADDING SECTIONS 3-3.201 THROUGH 3-3.214 TO THE RIDGECREST MUNICIPAL CODE TO PROVIDE FOR AN ADDITIONAL THREE-QUARTER OF ONE PERCENT SALES TAX TO FUND GENERAL PURPOSES AND TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

**13. Resolution No. 04- 38, Resolution Of The Ridgcrest City Council Submitting To The Voters A Question Relating To The Adoption Of An Ordinance To Provide For An Additional Three-Quarter Of One Percent Sales Tax For General Purposes At The Municipal Election To Be Held On Tuesday, November 2, 2004**

**Winegardner**

This resolution sets a question before the Ridgcrest electorate on the November 2, 2004 ballot a single question. That question is predicated on the passage of Ordinance 04-05 which approves a general sales tax increase of 3/4 cent increase to be placed before the electorate at the November 2, 2004 General Election.

The question to be considered in the resolution is:

Shall the City of Ridgcrest Adopt Ordinance No. 04-05 To Provide For An Additional Three-Quarter Of One Percent Sales Tax For General Purposes?

Moved by Council Member Morgan, seconded by Council Member Martin TO APPROVE RESOLUTION NO. 04-38, RESOLUTION OF THE RIDGECREST CITY COUNCIL SUBMITTING TO THE VOTERS A QUESTION RELATING TO THE ADOPTION OF AN ORDINANCE TO PROVIDE FOR AN ADDITIONAL THREE-QUARTER OF ONE PERCENT SALES TAX FOR GENERAL PURPOSES AT THE MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 2, 2004. No public comment. Motion carried with a voice vote of 5 ayes.



## **MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**July 7, 2004**

**Page 9**

### **CITY MANAGER/EXECUTIVE DIRECTOR REPORTS**

Went to Mojave with Jim Winegardner and met with other counties and cities and some from San Bernardino County and some other districts regarding insurance rates for employees. CALPERS Health and other brokers were there. CALPERS are largest purchaser in the nation and should be cheaper but rates keep going up and because of this many cities have threatened to pull out of the system. Rates for coming FY will be handled a bit differently. CALPERS is setting rates by 5 districts each with different rates. We are second lowest. Talked about a JPA joint powers authority and asking Lemieux and O'Neill to amend the one we did a while back on the airports. Rates will continue to go up because of our size and location and accommodations. Even so we should probably stay where we are

### **CITY ATTORNEY REPORTS**

**none**

### **COMMITTEES, BOARDS AND COMMISSIONS**

#### **Economic Development Committee**

Members: Chair Chip Holloway, Dan Clark, Mike Biddlingmeier, Howard Laire

Meetings: 1st Thursday of the month at 4:30 PM; Council Conference Room

Next meeting for August to be announced

#### **Legislative Committee**

Members: Chair Duke Martin, Chip Holloway

Meetings: 2nd Tuesday of the month at 10:00 AM; Council Conference Room

Have not met but committee has been active on the keep local taxes local ballot initiative. This is part of the League of California Cities initiative petition drive

Next meeting August 18

#### **Infrastructure Committee**

Members: Chair Steve Morgan, Duke Martin, Chuck Roulund, Jim Smith

Meetings: 2nd Tuesday of the month at 5:00 p.m., Council Conference Room

Next meeting August 10

#### **City Organization Committee**

Members: Chair Chip Holloway, Ron Carter

Meetings: 2nd Thursday of the month at 4:00 PM; Council Conference Room

## **MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**July 7, 2004**

**Page 10**

Next meeting August 12 at 5:00

### **Quality of Life Committee**

Members: Chair Dan Clark, Ron Carter, Mike Biddlingmeier, Howard Laire

Meetings: 4th Thursday of the month at 5:00 PM; Kerr-McGee Center

No meeting in July and August - next meeting September 25 at 5 p.m.

### **Redevelopment Advisory Committee**

Members: Chair Ron Ketcham, Vice Chair Lois Beres, Harley Baker, Bob Peoples, Gary Charlon. Ex-officio Members Council Members Steve Morgan and Duke Martin, Planning Commissioner Shelia Torkelson

Meetings: 3rd Tuesday of the month at 5:00 PM, Council Conference Room

Next meeting to be announced

### **RACVB**

Council Member Duke Martin

Council Member Dan Clark - Alternate

Meetings: 3rd Wednesday of the month, 8:00 a.m., RACVB Office

Next meeting August 18

### **Other Committees, Boards, or Commissions**

LAFCO will meet July 27 - will be debate of sphere of influence

League of California Cities Policy Committee and Administrative Committee are neutral on open primary

Kern County Air Pollution Control District meeting tomorrow - non EPA approved wood burning stoves and fireplaces - Mojave vets building at 2 pm

Rule 402 workshop also at Mojave July 14 10 a.m.

Quarterly meeting of Mountain-Desert Division League of California Cities on 23 July at Big Bear - Mayor Carter attending

Council Member Martin has submitted papers for Board of Directors League of California Cities at large positions and hopes to get Council Member Holloway to represent the Desert Mountain Division on the board

## **COUNCIL COMMENTS**

### **Clark**

- Interesting Council meeting this evening
- Appreciate the debate and the comments from the public
- An important decision will be on the November 2, ballot
- 100 Voices For Women Steering Committee had transit concerns - Dewain came with transit info - next meeting August 2 6 p.m.

## **MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**July 7, 2004**

**Page 11**

- 2M appropriation for Ridgecrest for housing look possible - now looking for alternate location
- Quality of Life arts council needs to be resurrected to represent artists, etc now
- Received email today about Brazilian congress trying to reduce 50 percent of the rainforest – they later rescinded the idea

### **Morgan**

- On Tuesday Los Angeles Mayor Hahn's proposal regarding conservation easement area in Owens valley appeared in the Los Angeles papers
- Council begs people to come to the meetings, we put articles in the papers about current issues and still get only a smattering of attendees
- Agrees with the general tax because that's what the people indicated they wanted
- Read the reason the American flag is folded the way it is

### **Martin**

- Congratulations to Steve Morgan, the Lions Club, the Knights of Columbus for 4th of July celebration at Fairgrounds
- Congratulations to Lois Beres and Mary Ash for filing for Council
- Asked if we have done everything according to our ordinances regarding what Chester Cornelius commented upon regarding housing development?
- Ballot will have 14 initiatives and propositions
- Urged everyone to email legislators regarding the League of California Cities tax initiative also Sharon Runner and Bill Maize
- Also email the one against cities and counties
- Congress members have asked the UN to monitor the Florida general election

### **Holloway**

- Credited Mr. Mollenaur with going around the City getting the flags squared away after President Regan's death and when to go back to full mast
- Acknowledged girls in group from Sunland Street with presentation to Council in thanks for 4 way stop
- A lady told him how great the fireworks were this year - he thanked the Lions Club and Knight of Columbus and Steve Morgan
- Thanked Al Huey for putting on the Institute on the Constitution
- Prop 65 is the League of California Cities taxation initiative
- Assume staff is keeping track of College Heights property development
- As to the proposed local sales tax he thinks it better to go for the 50 + 1 vote as we will still have control
- We need to get control of every dollar due us that we can

### **Carter**

## **MINUTES - CITY COUNCIL / REDEVELOPMENT AGENCY - REGULAR**

**July 7, 2004**

**Page 12**

- Visited with Mervyn Dyanally former Lt Governor, Assemblyman McCarthy and Senator Ashburn while in Sacramento
- We are the only community that communicates with Kevin McCarthy
- Asked him where the budget stood – was close a week ago and now we are further apart
- Our citizens have made it clear that they want to have the power and control back at the local level
- Senator Ashburn agrees we need more say in what we do
- We should start working with citizens for legislation to start getting back to local control
- Also thanked Steve Morgan and the organizations involved for the great 4th of July celebration

### **ADJOURNMENT**

Mayor Carter adjourned the meeting at 9:45 p.m.

---

Rita Gable, Chief Deputy City Clerk